

Beaver County
Beaver, UT 84713
April 5, 2004

The Board of County Commissioners met on April 5, 2004 at 10:00 a.m. for its regularly scheduled meeting. Those present were William L. Dalton, Chairman; Mark S. Whitney, Member; Patrick R. Yardley, Member; Von J. Christiansen, Attorney; Bryan L. Harris, Commission Assistant; and Paul B. Barton, Clerk/Auditor.

Minutes of the March 1st and 15th, 2004 meetings were read. It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously passed to approve the minutes.

Chad Johnson met with the Board on behalf of the American Legion to request assistance in financing Boys State. The Board felt like all programs were very beneficial for the youth. It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to donate \$100.00 per attendee to Boys State and Girls State and \$200.00 to Jackie Jo Mayer for the Governor's Honors Academy.

Resolution No. 2004-03 - A Resolution Appointing Administrative Control Board Members for Elk Meadows Special Service District was discussed. The resolution dealt with appointments to the District Board. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to adopt the resolution and appoint the following members: Pat Yardley, Ken Puchlik, Bonnie Wyman, and Abe Gillies with terms to expire on December 31, 2007 and Duane Baugh, Lou Brown and Dee Draney with terms to expire on December 31, 2005.

It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to appoint Comm. Yardley to serve on the Southwest Utah Planning Authority's Council.

It was moved by Comm. Yardley and seconded by Comm. Whitney to go into closed session for the purpose of discussing litigation. All voted in favor of the motion. The session began at 10:35 a.m. Those present were members of the Board, Mr. Christiansen, Mr. Harris, Mr. Barton, and Sheriff Ken Yardley. Present by conference call was Jesse Trentadue. It was moved by Comm. Yardley and seconded by Comm. Whitney to return to open session at 10:40 a.m. All voted in favor of the motion. It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to authorize the County to enter into a settlement agreement in the lawsuit of Janet Douglas v. Beaver County, et al.

Sheriff Yardley reported on a problem with the cleaning contract. A complaint was received from the State Courts. Sheriff Yardley met with the cleaning contractors and worked out the problems.

Sheriff Yardley discussed maintenance items at the Old Jail. A request from the Beaver County Food Network to add new electrical wiring and repairs to the roof has been received. The matter was tabled to the April 19, 2004 work meeting.

Sheriff Yardley and Lt. Keith Draper met with the Board to discuss staffing needs at the jail. There are currently two candidates from the county in the peace officer academy, and three in the corrections officer academy. The County needs to hire four employees to enter the academy on May 17, 2004.

A public hearing was opened for comment on changes to the zoning ordinance. The hearing opened at 1:00 p.m. The first change was related to set back requirements for future road improvements. The second was related to Beaver City and future corridors. Craig Davis explained the changes. No one appeared to comment on the changes. The hearing was closed at 1:10 p.m. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to adopt the proposed changes.

A public hearing was opened for comment at 1:30 p.m. on the proposed closure of a road. The road is located near the Nevada border at White Rock Cabin Springs. The approximate location is T30S, R20W, Sec. 2. Those attending the hearing were Lynley Thiriot, Willis Hall and Sophia Hall. Comm. Dalton excused himself from the meeting because the petitioner is related. The Chair was passed to Comm. Yardley and Comm. Dalton left the room. Mrs. Thiriot explained the reason that she and her husband would like the road closed. The road is a class D road. Mr. Hall asked questions about the issue. No one objected to the closure. No written comment was received. The hearing was closed at 1:40 p.m. It was moved by Comm. Whitney to close the road. The chair was passed to Comm. Whitney and Comm. Yardley seconded the motion. The chair was passed back to Comm. Yardley. Comm. Whitney and Comm. Yardley voted in favor of the motion. No one voted against. After the hearing, Comm. Dalton returned to the meeting. The Chair was passed back to Comm. Dalton.

A public hearing was opened for comment at 2:00 p.m. on a rezonement petition filed by Phil Jolley. The property is located in sections 11 & 14, T29S, R7W. The proposal would change the zone from A-5 to RE-1. Those attending the hearing were Craig Davis, Phil Jolley and Howard Smith. No one opposed the change. The Planning Commission unanimously recommended the change. The hearing was closed at 2:15 p.m. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to adopt the change.

The following requests for qualifications on a county engineer of record were reviewed: Jones & DeMille Engineering, Sunrise Engineering, Bulloch Brothers Engineering, Johansen & Tuttle Engineering, and Stan-Tek Engineering. After review of the proposals, it was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to hire Jones & DeMille as the engineer of record. The County reserves the right to hire a different engineer on a project by project basis.

Resolution No. 2004-04 - A Resolution Repealing Resolution No. 2001-01 and Resolution No. 2001-03 and confirming the remaining Administrative Control Board members for the Beaver County Special Service District #3 was reviewed. The purpose of the resolution is to reduce the board from 7 to 5 members and make the county appointments. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to adopt the resolution.

Carl Maples, from Circle Four Farms, met with the Board to discuss road maintenance issues. The discussion centered on the Laho road. Mr. Harris stated that almost the entire chip-seal budget will be spent on the Thermo road this coming summer. The Board will try to work out the required maintenance as soon as possible.

Mark Nelson and Keven Whicker met with the Board to discuss Weed Board members. The matter was tabled to allow the vacancies on the Board to be advertised.

Robin and Carrie Bradshaw, Max Anderson, and Pam Hunt met with Board to request the county participate in chip sealing the road leading to their home. Three fourths of the road is located in Beaver City and one fourth in the county. The Board will reconsider the request for chip sealing the road after the request comes from Beaver City.

Colleen Melling met with the Board representing the Beaver City Park Committee. It was moved by Commissioner Whitney, seconded by Commissioner Yardley and unanimously passed to approve the allocation of Restaurant Tax funds to the new Beaver City Park upon recommendation from the Restaurant Tax Board.

Bills on file were approved for payment.

There being no further business, the meeting was adjourned.

APPROVED _____
Chairman

Clerk/Auditor

Beaver County
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April 19, 2004

The Board of County Commissioners met on April 19, 2004 at 10:00 a.m. for its regularly scheduled work meeting. Those present were William L. Dalton, Chairman; Mark S. Whitney, Member; Patrick R. Yardley, Member; Bryan L. Harris, Commission Assistant; Von J. Christiansen, Attorney; and Paul B. Barton, Clerk/Auditor.

Leo G. Kanell, Deputy Attorney, met with the Board to review the revised ordinance book. The discussion centered on the adoption of a business license. Mr. Harris will check how many counties in the state have a business license ordinance. The matter was tabled to the May 3, 2004 meeting.

Mr. Kanell discussed an issue re: a problem he is experiencing with the health insurance. The change in coverage at the first of the year limited the providers in the plan. This affected an ongoing treatment of a member of Mr. Kanell's family. It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to send a letter of support and encourage the insurance company to pay the claim with the same provider without a financial penalty to Mr. Kanell.

Gloria McDermott and Sheri McDermott met with the Board to discuss problems and concerns with the Miss Beaver County Pageant. Concerns included funding assistance for Miss Beaver County at the state pageant. The Board requested that a detailed budget request be prepared for review.

Mr. Christiansen discussed a new law re: the use of the word "county" in an entity's name. It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to not allow a Special District to use county in its name and to rename the district by January 1, 2005.

Comm. Dalton discussed a change in funding for Boys State and Girls State. It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to make a donation to these programs as a regular item in the budget. The amount of the budget will be \$100.00 per participant to a maximum of \$1,000.00 per program.

Raymond Goodwin met with the Board to discuss a refund of retirement contributions from the State of Utah. Mr. Goodwin requested that the refund amount paid in on his behalf be placed in his 401k account. The matter will be placed on the May 3, 2004 meeting agenda for a decision.

Mr. Harris discussed a residential anti-displacement plan on the CDGB grant for the Historic Courthouse. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to authorize the Chairman to sign the plan document.

The report from the interview committee for seasonal employment on weed spraying/cricket baiting, etc. was discussed. The names of John Ashworth and Kyle Blackner were recommended. Comm. Whitney disagreed because he felt the committee did not follow the parameters set by the Board. It was moved by Comm. Yardley to hire Mr. Ashworth and Mr. Blackner. The chair was passed to Comm. Yardley and Comm. Dalton seconded the motion. Comm. Dalton and Comm. Yardley voted in favor of the motion and Comm. Whitney abstained.

Craig Davis met with the Board to discuss an application filed by Steven Kinross on a simple land division. The land is located on 1900 North just outside of Beaver City. The Planning Commission had recommended the action. It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to authorize the land division.

A letter from the Tax Advisory Board was discussed. The letter recommended that \$50,000.00 be paid to Beaver City in support of the construction of a new children's park. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to authorize the donation.

The Board discussed the makeup and function of the Tax Advisory Board. There are discussions about amending the bylaws. Mr. Christiansen will attend the next meeting to discuss issues and procedures related to the Board.

Comm. Yardley discussed the need to set up a county-wide trails committee to deal with ATV issues. Mr. Harris will attempt to contact interested persons to serve on the committee.

The maintenance agreement with Qwest on the E911 database was discussed. It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to authorize the Chairman to sign the agreement.

The Board met with Lisa Roberts to discuss the cleaning contract at the Public Safety Facility. Also present for the discussion was Sheriff Ken Yardley, Jerold Roberts, and Rick Davis, the Fifth District Court Trial Court Executive. Mr. Davis had previously written two letter of complaint on behalf of the Court. The outstanding issues were discussed. Mr. & Mrs. Roberts will inspect the building with Mr. Davis to review the concerns. A written complaint from the Utah Highway Patrol was reviewed. The bottom line, the building needs to be cleaned and there needs to be better communication between the parties.

It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to declare the following vehicles surplus property and offer them for sale at an auction on May 7, 2004:

1988 Chevrolet Pickup - VIN #1GCFC24C0JZ195788	\$ 800.00
1990 Chevrolet Pickup - VIN #1GCDK14K6LZ236536	500.00
1993 Chevrolet Pickup - VIN #1GCFK24K8PZ232315	1,000.00
1994 Dodge Pickup - VIN #3B7HF16Z4RM543309	2,000.00
1996 Dodge Pickup - VIN #1B7HC16YXTJ140827	1,200.00
1997 Ford Quad Cab Pickup - VIN #1FTJW36F1VEB17676	8,000.00
1998 Dodge Pickup - VIN #1B7HC16Z6WS637980	3,000.00
1998 Dodge Pickup - VIN #1B7HF16Z2WS638146	6,000.00
1998 Dodge Pickup - VIN #1B7HF16Z4WS638147	5,000.00
1999 Chevrolet Pickup - VIN #1GCEK14T1XZ130532	8,200.00
1999 Chevrolet Pickup - VIN #1GCEC14T8XZ172693	6,000.00
2002 Ford Pickup - VIN #1FTRX18L62NB24982	17,500.00
2002 Ford Pickup - VIN #1FTRX18L82NB24983	17,200.00
2002 Chevrolet Pickup - VIN #1GCEK19T92E248496	18,200.00
2002 Dodge Dakota Pickup - VIN #1B7GG42NS639257	13,800.00

There being no further business, the meeting was adjourned.

APPROVED _____
Chairman

Clerk/Auditor